REMARKS

Claims 1-28 are pending in the application. The Examiner has rejected Claims 1-3, 8-9, and 12-19 under 35 USC 102(e) as being anticipated by the Przygienda article; has rejected Claims 4-7 and 20-28 as unpatentable over Przygienda in view of the teachings of the Rexford patent; and, has indicated that Claims 10 and 11 recite allowable subject matter and would be allowed if rewritten into independent format to include all of the limitations of the rejected base claims. Applicants are not submitting an amendment to place Claim 10 in independent format at this time since Applicants believe, for the reasons set forth below, that all of the claims are patentable over the art.

The present application teaches and claimed a device, network, computer program product and method for managing protocol information in a PAR-enabled device of a PNNI hierarchical network. The method first comprises the step of a PAR-enable device assigning topology indicators to protocol information encapsulated in respective PAR PTSEs that it receives from the network. The assignment of a topology indicator to protocol information is dependent on the location of the network node which originated that PAR PTSE in the PNNI topology as seen by the PAR-enabled

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device. Once the topology indicators have been assigned, the PAR-enable device supplies the protocol information encapsulated in the received PAR PTSEs to a protocol device associated with said PAR-enabled device in a manner dependent on the assigned topology indicators.

The Przygienda article is directed to proxy PNNI augmented routing (i.e., Proxy PAR) and to exploiting the PNNI routing hierarchy by advertising different IP services on different levels of the hierarchy. Under the teachings of Przygienda, as found on page 372, column 2, lines 9-14, clients register services with a server side through proxy PAR. The client associates an abstract membership scope with the available service and the server side maps the membership scope into a PNNI routing level to restrict the distribution of the service information in the network based on the associated membership scope.

Applicants respectfully assert that the Przygienda article does not anticipate the invention as claimed. Przygienda teaches that a client assigns a membership scope value to its service that is registers. What is claimed by the present invention is that a PAR-enable device assigns a topology indicator to protocol information that it *receives* in a PAR PTSE received from the network. While Przygienda teaches that a client that is sending a PTSE associates a

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value to the service information found therein, the present invention teaches and claims that a PAR-enable device which receives a PAR PTSE assigns a topology indicator to the received protocol information, based on the location of the node that originated the PTSE.

It is well established in U.S. Patent law that anticipation under 35 USC 102 is established only when a single prior art reference discloses each and every element of a claimed invention. See: In re Schreiber, 128 F. 3d 1473, 1477, 44 USPQ2d 1429, 1431 (Fed. Cir. 1997); In re Paulsen, 30 F. 3d 1475, 1478-1479, 31 USPQ2d 1671, 1673 (Fed. Cir. 1994); In re Spada, 911 F. 2d 705, 708, 15 USPQ2d 1655, 1657 (Fed. Cir. 1990) and RCA Corp. v. Applied Digital Data Sys., Inc., 730 F. 2d 1440, 1444, 221 USPQ 385, 388 (Fed. Cir. 1984). Since the Przygienda article does not teach that a PAR-enable device assigns topology indicators to protocol information received in a PAR PTSE, and does not teach supplying protocol information in a manner dependent on the assigned topology indicators, it cannot be maintained that Przygienda anticipates the invention as set forth in the independent claims, Claims 1 and 18, or the claims which depend therefrom and add further limitations thereto.

The Examiner has additionally rejected Claims 4-7 and 20-28 as unpatentable over Przygienda in view of the teachings of the Rexford patent. Applicants rely on the arguments set forth above with regard to the teachings of the Przygienda article and will not repeat those arguments. The Rexford patent teaches efficient precomputation of quality-of-service routes and storing of the routes in a directed acyclic graph. Specifically, Rexford is cited for its teachings regarding assessing and identifying minimum-cost routes to destinations. Applicants respectfully assert that the Rexford patent teachings of precomputing routes in a network and storing the information in a directed acyclic graph would not logically be combined with the Przygienda system. The stated objective of proxy PAR is to allow devices to use the flooding mechanisms provided by PNNI for registration and automatic service discovery, without having to perform the computationally-intensive mapping and storing of maps (see the Abstract of the Przygienda article). Applicants contend that one having skill in the art would not look to the Rexford patent to modify the Przygienda system.

Moreover, even if one were motivated to modify Przygienda with Rexford, one would not arrive at the subject invention, since neither Przygienda nor Rexford
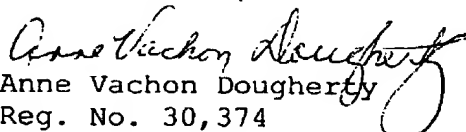
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teaches or suggests that a PAR-enabled device assigns topology indicators to protocol information in a PSTE received from the network, as is recited in the claims.

For a determination of obviousness, the prior art must teach or suggest all of the claim limitations. "All words in a claim must be considered in judging the patentability of that claim against the prior art" (*In re Wilson*, 424 F. 2d 1382, 1385, 165 U.S.P.Q. 494, 496 (C.C.P.A. 1970). If the cited references fail to teach each and every one of the claim limitations, a *prima facie* case of obviousness has not been established by the Examiner. Since neither Przygienda nor Rexford teaches or suggests that a PAR-enabled device assigns topology indicators to protocol information in a PSTE received from the network, it cannot be maintained that the combination would render the claims unpatentable.

Based on the foregoing, Applicants respectfully request entry of the amendments, withdrawal of the rejections, and issuance of the claims.

Respectfully submitted,

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